



Indiana Department of Education
SUPPORTING STUDENT SUCCESS

School and Community Nutrition

MEMORANDUM

To: Child Nutrition Program Sponsors

From: Michael E. Gill, Director
School and Community Nutrition

Re: Procurement

Date: April 24, 2009

The State Agency has the authority to review and approve procurement documents and contracts involving expenditures from Local Educational Agencies (LEAs) nonprofit food service accounts. In the past, the Indiana Department of Education, School and Community Nutrition (SCN) required that all procurement documents and contracts involving \$100,000.00 or more in nonprofit food service account expenditures be reviewed and approved by this office before execution. Now, the Indiana Department of Education, School and Community Nutrition will only be reviewing and approving procurement documents and contracts involving all Local Educational Agencies that plan to contract with Food Service Management Companies (FSMC).

National School Lunch Program regulations specifically addressing FSMC (7 CFR Part 210.16(a)(9-10)) require that all bid documents and the actual contract must be approved by the State Agency prior to execution. In addition, all State Agency required changes must be incorporated into the documents before they are executed.

This requirement is found in SCN Division Policy number 71 currently posted under “Procurement” on the SCN website at www.doe.in.gov/food.

Procurement Regulations

If you are in the process of bidding for a FSMC please submit your procurement documents such as the request for proposal, the legal notice as published in the newspaper, and a list of companies to which it was mailed. The contract must be submitted for State Agency review and approval before signature and execution. The LEA can use the School's Request for Proposal and Contract Checklist provided at <http://www.doe.in.gov/food/procurement.html> to make sure their request for proposals and contracts have the required language. The checklist outlines all of the requirements that the LEA needs to follow with the State Agency during the procurement process.

This mandate applies to all FSMC procurement conducted on behalf of all Child Nutrition Programs. If you have any questions please contact Sarah Kenworthy at (317) 232-0850, or e-mail her at skenworthy@doe.in.gov.